

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

PENNY HORNE

PLAINTIFF

V.

NO: 1:23CV17-GHD-DAS

XL INSURANCE AMERICA INC.;
EMPLOYBRIDGE HOLDING
COMPANY; MTD PRODUCTS
COMPANY; VALERIE BELOW AND
JOHN DOES A-Z

DEFENDANTS

ORDER

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) The Defendant MTD Products Company's Motion to Dismiss [13] is GRANTED;
- (2) The Defendant Valerie Below's Motion to Dismiss [15] is GRANTED;
- (3) The Plaintiff Penny Horne's claims against Defendants MTD Products Company and Valerie Below are DISMISSED;
- (4) The Plaintiff Penny Horne's Motion to Remand to State Court [26] is DENIED;
and
- (5) The Court maintains diversity jurisdiction over this matter and Plaintiff's claims against XL Insurance America, Inc. and EmployBridge Holding Company remain.

SO ORDERED, this, the 9th day of May, 2023.


SENIOR U.S. DISTRICT JUDGE